



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/050,838

01/16/2002

Michael H. Gurin

1328

7590

10/12/2006

Michael Gurin  
Suite A  
4132 Cove Lane  
Glenview, IL 60025

EXAMINER

DUONG, FRANK

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/050,838

Applicant(s)

GURIN, MICHAEL H.

Examiner

Frank Duong

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,6,10,13-16 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,10,13-16 and 20-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This Office Action is a response to communications dated 08/01/06. Claims 1, 3, 6, 10, 13-16 and 20-31 are pending in the application.

### ***Specification***

2. The abstract of the disclosure is objected to because it recites legal phraseology such as "means" or "said". Correction is required. See MPEP § 608.01(b).

3. The amendment filed 08/01/06 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

a) New Figure 1 adding elements 15 and 16 as shown introduces new matter not accorded with the originally filed specification.

b) New Figures 6-11 introduce new matter not accorded with the originally filed specification.

c) Newly added paragraphs [0046.1] to [0046.8] on pages 9-10 and the description on pages 13-15 pertaining the description of Figures 6-11 introduce new matter not accorded with the originally filed specification.

**Applicant is required to cancel the new matter in a reply to this Office Action.**

**Claim Objections**

4. Claim 25 is objected to because of the following informalities: Lines 5-6, "data scanners" should be changed to --data scanner--.

Appropriate correction is required.

**Claim Rejections - 35 USC § 112**

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 24-25 and 30-31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per claim 24, there is no support in the original specification for the claimed limitation of "*wherein the end-user communication device precise geographic location is a parameter for communication management system to dynamically initiate functions selected from the group consisting of display graphically the end-user communication device precise geographic location to specified and authorized parties, convey geographic specific message on the end-user communication device including welcome, safety, or marketing messages, receive end-user communication device profile information, issue coupons, issue acknowledgement of said user-end*

*communication device registration, convey end-user communication device profile information including or excluding precise geographic location to any third party, enable or disable end-user communication device's short-range transceivers", as recited in claim 24.*

As per claim 25, there is no support in the original specification for the claimed limitation of "wherein the end-user communication device communicates context sensitive information according to **both geographic precise location and an integrated data scanner** (emphasis added) between said end-user communication device and access point whereby the data scanners include data scanners from the group consisting of bar code scanner, radio frequency identification tags reader, optical readers, or infrared transceiver", as recited in claim 25.

As per claim 30, there is no support in the original specification for the claimed limitation of "*wherein the end-user communication device precise geographic location is a parameter for communication management system to dynamically initiate functions selected from the group consisting of display graphically the end-user communication device precise geographic location to specified and authorized parties, convey geographic specific message on the end-user communication device including welcome, safety, or marketing messages, receive end-user communication device profile information, issue coupons, issue acknowledgement of said user-end communication device registration, convey end-user communication device profile information including or excluding precise geographic location to any third party, enable*

*or disable end-user communication device's short-range transceivers", as recited in claim 30.*

As per claim 31, there is no support in the original specification for the claimed limitation of "wherein the end-user communication device communicates context sensitive information according to **both geographic precise location and an integrated data scanner** (emphasis added) between said end-user communication device and access point whereby the data scanners include data scanners from the group consisting of bar code scanner, radio frequency identification tags reader, optical readers, or infrared transceiver", as recited in claim 31.

On pages 19-21 of the original specification, numerous parameters though in different embodiments are disclosed. However, from the disclosed features/parameters, the above claimed limitations cannot unambiguously derive to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 3, 6, 10, 13-16, 20, 23, 24 and 26-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the last two lines, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to.

As per claim 3, last line, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to.

As per claim 10, last line, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to.

Claim 13 recites the limitation "the call originator" in line 3. There is insufficient antecedent basis for this limitation in the claim.

As per claim 15, last line, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to. In addition, claim 15 is also indefinite for claiming both apparatus (system) and method. *In Ex parte Lyell, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990).*

As per claim 16, last line, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to.

Claims 6, 14 and 20 variously depend from their indefinite base claim 1.

Claims 21-22 are indefinite for claiming both apparatus (system) and method. *In Ex parte Lyell, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990).*

As per claims 23-24, last line, the term "combinations thereof" is vague. It is unclear to what limitations the "combinations thereof" refer to. In addition, claims 23-24 are also indefinite for claiming both apparatus (system) and method. *In Ex parte Lyell, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990).*

Claim 25 inherits its base claim 21's problem as discussed above.

Claim 26 recites the limitation "the call originator" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 is indefinite for claiming both apparatus (system) and method. *In Ex parte Lyell*, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990).

As per claims 29-30, last line, the term “combinations thereof” is vague. It is unclear to what limitations the “combinations thereof” refer to. In addition, claim 29 is also indefinite for claiming both apparatus (system) and method. *In Ex parte Lyell*, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990).

Claims 28 and 31 variously depend from their indefinite base claim 26.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 15, 21-25, 27 and 29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to neither a “machine” (system) nor a “process” (method or algorithm) but rather embraces or overlaps two different statutory classes of invention set forth in 35 U.S.C. 101 which drafted so as to set forth the statutory classes of invention in the alternative only. *Id.* at 1551.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –



Art Unit: 2616

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3, 6, 10, 15-16, and 21, 23 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Bridgelall (USP 7,039,027).

Regarding **claim 1**, in accordance with Bridgelall reference entirety, Bridgelall shows a communication system (Fig. 2) for dynamically routing communications of a wireless end-user communication device (*any of elements 232, 234, 236 or 242 disclosed at col. 5, last paragraph and Fig. 9 depicted the circuitry details*) comprises of a unique access number (*SIM disclosed at col. 6, first paragraph*) and both a short-range wireless transceiver (*Fig. 9; element 902 or 926*) and long-range wireless transceiver (*Fig. 9; element 924*) to communication through one communication access point (*Fig. 2; any of 226, 228, 230 or 202*) (*col. 10, line 50 to col. 12, line 56*) selected from amongst multiple available short-range and long-range access points (*Fig. 2; elements 226, 228, 230, and 202*) whereby the routing is determined by a communication management system (*Fig. 2; 205*) controlled by an algorithm (*roaming algorithm is discussed at col. 4, line 62*) to dynamically switch routing after establishing the initial communications routing between the short-range and long-range transceiver (*col. 4, lines 38-54 and thereafter, it is disclosed seamless vertical roaming enables an application/user to switch or roam to a specific network based on the physical knowledge of the physical location of a specific network*), and respectively between the short-range and long-range access point in order to achieve at least one benefit selected from the group

Art Unit: 2616

consisting of minimizing switching time between a short-range and long-range transceiver, and respectively between a short-range and long-range access point, minimizing frequency of switching between a short-range and long-range transceiver, and respectively between a short-range and long-range access point, minimizing end-user cost (*col. 2, lines 57-63 and thereafter, the advantages of seamless vertical roaming are discussed to include maintain existing connection as well as transition is continuous. These advantages implicitly and inherently read on the claimed advantages to include minimizing switching time between the transceivers*).

Regarding **claims 3 and 15-16**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall further discloses whereby the communication management system is further comprised of algorithm to dynamically route communication link for end-user communication device based on at least one parameter selected from the group consisting of a lookup table indexed by both call terminator and call originator access numbers, a sequential prioritization lookup table of access number, a time of day and calendar schedule or database, said end-user communication device's precise geographic location, or said end-user communication device's availability of short-range transceiver (*col. 15, lines 43-63, it is disclosed an application/user can switch or roam to a specific network based on knowledge of the network physical location determined by an integrated GPS or RTLS using signal strength, time difference or arrival or angle of arrival or triangulation. The recitation thereat read on the claimed limitation of roaming or switching based on time of day or*

*user communication device's precise geographic location in a manner set forth as claimed).*

Regarding **claim 6**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall further discloses wherein the algorithm to dynamically switch routing after establishing the initial communications routing utilizes thresholds selected from the group consisting of end-user communication device's local threshold to dynamically switch routing between available long-range access points, communication management system's seamless threshold to dynamically switch routing between available short-range and available long-range communication access points (*col. 4, lines 55-65, it is disclosed roaming algorithm takes into account that the user's location (in a mall) or WLAN is preferable over WWAN in a certain location even the signal quality is slightly worse and col. 15, lines 43-63, it is disclosed an application/user can switch or roam to a specific network based on knowledge of the network physical location determined by an integrated GPS or RTLS using signal strength, time difference or arrival or angle of arrival or triangulation. The recitation thereat read on the claimed limitation of roaming or switching based on time of day or user communication device's precise geographic location in a manner set forth as claimed).*

Regarding **claim 10**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall further discloses wherein the algorithm to dynamically switch routing after establishing the initial communications routing utilizes parameters selected from the group consisting of time to register an end-user communication device's new communication address, communications latency times,

Art Unit: 2616

routing capacity availability, membership privileges, rate of signal strength deterioration or increase (*col. 15, line 43 to col. 16, line 6 or thereinbefore*).

Regarding **claim 21**, in accordance with Bridgelall reference entirety, Bridgelall shows a system (Fig. 2) comprising a combination of an end-user communication device (Fig. 9) having method to determine a precise geographical location (GPS) (*col. 15, lines 43-61*), and a communication management system algorithm (*roaming algorithm is discussed at col. 4, line 62*) to dynamically vary functionality (*WWAN or WLAN mode*) of said end-user communication device according to the device's precise geographical location (*col. 4, lines 50-54 and col. 15, lines 43-61*).

Regarding **claim 23**, in addition to features recited in base claim 21 (see rationales discussed above), Bridgelall further discloses wherein the end-user communication device geographical location is determined by a method selected from the group consisting of utilizing the known geographic location of access points with their known location, utilizing end-user communication device's global positioning system, utilizing end-user communication device's local positioning system (*col. 15, lines 43-61*).

Regarding **claim 25**, in addition to features recited in base claim 21 (see rationales discussed above), Bridgelall further discloses wherein the end-user communication device communicates text sensitive information according to both geographic precise location (*probe request during active scanning and authentication request are discussed at col. 9, lines 6-53 and thereafter*) and integrated data scanner (Fig. 9; element 926) between said end-user communication device and access point

whereby the data scanner include data scanner selected from the group consisting of bar code scanner, radio frequency identification tags reader, optical readers, or infrared transceiver (Fig. 9; element 926).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 13-14, 20, 22 and 26-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridgelall in view of Tandon.

Regarding **claim 13**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall fails to further disclose a caller identification system communicating to end-user communication device both the call originator and the desired call terminator access numbers. However, such limitation lacks thereof from Bridgelall reference is well known and disclosed by Tandon.

In an analogous art, Tandon teaches a communications system comprising, among other things, the limitation of "*a caller identification system communicating to end-user communication device both the call originator and the desired call terminator access numbers*" (Tandon, page 22, paragraphs [00312] to [00313]) to provide an access network that provide the user more available bandwidth (Tandon, page 2, paragraph [0009]).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).

Regarding **claim 14**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall fails to further disclose wherein the end-user communication device serves multiple terminator access numbers concurrently and the end-user communication device's original call terminator access number dynamically varies at least one end-user communication device function selected from the group consisting of ring function to provide a unique voice mail for each original call terminator access number, or to provide communications routing to available access points independent of quality of service and dependent on the original call terminator access number. However, such limitations lack thereof form Bridgelall reference is well known and disclosed by Tandon.

In an analogous art, Tandon teaches the management system extends the traditional caller identification systems by making known both the call originator and the desired call terminator, and serves multiple access numbers concurrently; in that said multiple access numbers are further handled as selected from the group of distinct ring to distinguish between a certain call terminator and others, routing to voice-mail, and screening-in and screening-out filters for process handling of communications link (see

*paragraphs [0244]-[0245], [0262]-[0264] and [0312]-[0313]) to provide an access network that provide the user more available bandwidth (Tandon, page 2, paragraph [0009]).*

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*)

Regarding **claim 20**, in addition to features recited in base claim 1 (see rationales discussed above), Bridgelall fails to further teach wherein the end-user communication device ... infrared transceiver, in a manner as recited in claim 20. However, such limitations lack thereof from Bridgelall reference are well know and disclosed by Tandon.

In an analogous art, Tandon teaches the device utilizes an integrated data scanner to trigger specific messages with context sensitive information between device and channel manager (Tandon teach triggering different actions at the intelligent network elements. See (01661); in that said data scanner is selected from the group of bar code scanner, read system such as radio frequency identification tags, optical readers, and infrared transceiver; and that said context sensitive information is selected from the group of registration of an individual communication device into a specific channel manager (see paragraphs ([0188], [0261]-[0264], ([0324]-[0327], ([0354]), inquiry of product pricing information, generation of manufacturer's coupon, broadcast of

known to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*)

Regarding **claim 22**, in addition to features recited in base claim 21 (see rationales discussed above), Bridgelall fails to further disclose a caller identification system communicating to end-user communication device both the call originator and the desired call terminator access numbers. However, such limitation lacks thereof from Bridgelall reference is well known and disclosed by Tandon.

In an analogous art, Tandon teaches a communications system comprising, among other things, the limitation of "a caller identification system communicating to end-user communication device both the call originator and the desired call terminator access numbers" (page 22, paragraphs [00312] to [00313]) to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).



Regarding **claim 26**, in accordance with Bridgelall reference entirety, Bridgelall shows a communication system (*Figure 2*) comprised of end-user communication device (242) having WLAN and WWAN transceivers (*Figure 9*; elements 902 and 924). Bridgelall fails to further disclose a caller identification system (205) communicating to end-user communication device (242) both a call originator and the desired call terminator access numbers. However, such limitation lacks thereof from Bridgelall reference is well known and disclosed by Tandon.

In an analogous art, Tandon teaches a communications system comprising, among other things, the limitation of *"a caller identification system communicating to end-user communication device both the call originator and the desired call terminator access numbers"* (*Tandon, page 22, paragraphs [00312] to [00313]*) to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth (*Tandon, page 2, paragraph [0009]*).

Regarding **claim 27**, in addition to features recited in base claim 26 (see rationales discussed above), Bridgelall in view of Tandon further shows a system (*Fig. 2*) comprising a combination of an end-user communication device (*Fig. 9*) having method to determine a precise geographical location (GPS) (*col. 15, lines 43-61*), and a communication management system algorithm (*roaming algorithm is discussed at col.*

4, line 62 of *Bridgelall* reference) to dynamically vary functionality (*WWAN* or *WLAN* mode) of said end-user communication device according to the device's precise geographical location ('027, col. 4, lines 50-54 and col. 15, lines 43-61).

Regarding **claim 28**, in addition to features recited in base claim 26 (see rationales discussed above), *Bridgelall* in view of *Tandon* further teaches the management system extends the traditional caller identification systems by making known both the call originator and the desired call terminator, and serves multiple access numbers concurrently; in that said multiple access numbers are further handled as selected from the group of distinct ring to distinguish between a certain call terminator and others, routing to voice-mail, and screening-in and screening-out filters for process handling of communications link (see *Tandon* paragraphs [0244]-[0245], [0262]-[0264] and [0312]-[0313]) to provide an access network that provide the user more available bandwidth (*Tandon*, page 2, paragraph [0009]).

Regarding **claim 29**, in addition to features recited in base claim 26 (see rationales discussed above), *Bridgelall* in view of *Tandon* further teaches ('027, col. 15, lines 43-63) an application/user can switch or roam to a specific network based on knowledge of the network physical location determined by an integrated GPS or RTLS using signal strength, time difference or arrival or angle of arrival or triangulation. The recitation thereat read on the claimed limitation in a manner set forth as claimed.

Regarding **claim 31**, in addition to features recited in base claim 26 (see rationales discussed above), *Bridgelall* in view of *Tandon* further discloses wherein the end-user communication device communicates text sensitive information according to

both geographic precise location (*probe request during active scanning and authentication request are discussed at col. 9, lines 6-53 of Bridgelall reference and thereafter*) and integrated data scanner ('027, Fig. 9; element 926) between said end-user communication device and access point whereby the data scanner include data scanner selected from the group consisting of bar code scanner, radio frequency identification tags reader, optical readers, or infrared transceiver ('027, Fig. 9; element 926).

10. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridgelall in view of Imielinski et al (Geographic Addressing, Routing, and Resource Discovery with the Global Positioning Systems, pages 1-10, 1996) (hereinafter "Imielinski").

Regarding **claim 24**, in addition to features recited in base claim 21 (see rationales discussed above), Bridgelall fails to further teach wherein the end-user communication device precise geographic location is a parameter for communication management system to dynamically initiate functions selected from the group consisting of display graphically the end-user communication device precise geographic location to specified and authorized parties, convey geographic specific message on the end-user communication device including welcome, safety, or marketing messages, receive end-user communication device profile information, issue coupons, issue acknowledgement of said user-end communication device registration, convey end-user communication device profile information including or excluding precise geographic location to any third

party, enable or disable end-user communication device's short-range transceivers. However, such limitations lack thereof from Bridgelall reference is well known and disclosed by Imielinski.

In an analogous art, Imielinski teaches a geographic routing system, comprising, among other things, geographic routers and domain name service (DNS) server to provide possible new services and functionalities include geographic messaging, advertising, and resource discovery to mobile terminals (*Imielinski, page 1, second paragraph and thereafter*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Imielinski's geographic routers and DNS server into Bridgelall's system to arrive the claimed invention with a motivation to provide possible new services and functionalities include geographic messaging, advertising, and resource discovery to mobile terminals (*Imielinski, page 1, second paragraph and thereafter*).

11. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridgelall in view of Tandon as applied to claim 26 above, and further in view of Imielinski et al (Geographic Addressing, Routing, and Resource Discovery with the Global Positioning Systems, pages 1-10, 1996) (hereinafter "Imielinski").

Regarding **claim 30**, in addition to features recited in base claim 26 (see rationales discussed above), Bridgelall in view of Tandon fails to further disclose wherein the end-user communication device precise geographic location is a parameter

Art Unit: 2616

for communication management system to dynamically initiate functions selected from the group consisting of display graphically the end-user communication device precise geographic location to specified and authorized parties, convey geographic specific message on the end-user communication device including welcome, safety, or marketing messages, receive end-user communication device profile information, issue coupons, issue acknowledgement of said user-end communication device registration, convey end-user communication device profile information including or excluding precise geographic location to any third party, enable or disable end-user communication device's short-range transceivers. However, such limitations lack thereof from Bridgelall in view of Tandon reference is well known and disclosed by Imielinski.

In an analogous art, Imielinski teaches a geographic routing system, comprising, among other things, geographic routers and domain name service (DNS) server to provide possible new services and functionalities include geographic messaging, advertising, and resource discovery to mobile terminals (*Imielinski, page 1, second paragraph and thereafter*).

Thus, it would have been obvious to those skilled in the art at the time of the invention was made to implement Imielinski's geographic routers and DNS server into Bridgelall in view of Tandon's system to arrive the claimed invention with a motivation to provide possible new services and functionalities include geographic messaging, advertising, and resource discovery to mobile terminals (*Imielinski, page 1, second paragraph and thereafter*).

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Byrne (USP 5,533,099).

Berggren (USP 5,963,863).

Raffel et al (USP 6,611,692).

Jawanda (USP 6,243,581).

Mahany (USP 6,697,415).

Gorsuch (USP 6,526,034).

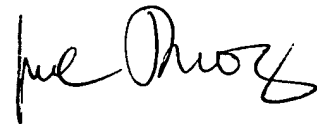
Ylianttila et al, Geolocation Information and Inter-technology Handoff, IEEE, pages 1573-1577, 2000.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is 571-272-3164. The examiner can normally be reached on 7:00AM-3:30PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Frank Duong', is positioned above the printed name.

**FRANK DUONG  
PRIMARY EXAMINER**

September 29, 2006